

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

SPRINGFIELD LIBRARY AND
MUSEUM ASSOCIATION, INC.,
Plaintiff,

v.

KNOEDLER ARCHIVUM, INC.,
f/k/a M. Knoedler & Company, Inc.
Defendant.

Civil Action
No. 03-CV-30219-MAP

**DEFENDANT'S MOTION FOR LEAVE TO FILE REPLY MEMORANDUM
IN SUPPORT OF DEFENDANT'S OBJECTIONS TO THE
MAGISTRATE JUDGE'S REPORT AND RECOMMENDATION
ON DEFENDANT'S MOTION FOR JUDGMENT ON THE PLEADINGS**

Pursuant to Local Rule 7.1(B)(3), defendant Knoedler Archivum, Inc. ("Knoedler") moves for leave to file the attached Reply Memorandum in response to Plaintiff's Opposition to Defendant's Objections to the Magistrate Judge's Report and Recommendation on Defendant's Motion for Judgment on the Pleadings ("Opposition"). As grounds for this motion, Knoedler states that the Opposition mischaracterizes factual issues important to the resolution of the motion and raises novel arguments Knoedler seeks to address in the attached Reply Memorandum.

Respectfully submitted,

/s/ Amy J. Berks

Kenneth W. Salinger (BBO #556967)
Amy J. Berks (BBO #652491)
PALMER & DODGE LLP
111 Huntington Avenue
Boston, MA 02199
(617) 239-0100
ksalinger@palmerdodge.com
aberks@palmerdodge.com

Of Counsel:

Andrius R. Kontrimas
Texas State Bar No. 11672300
Kerry M. McMahon
Texas State Bar No. 00797053
JENKENS & GILCHRIST, P.C.
1401 McKinney, Suite 2700
Houston, TX 77010

April 14, 2004

CERTIFICATE OF COMPLIANCE WITH LOCAL RULE 7.1

I certify that the requirements of Local Rule 7.1(A)(2) were complied with prior to the filing of this motion.

/s/ Amy J. Berks
Amy J. Berks